

U.S. DISTRICT COURT EDNY

Joshua Adam Schulte, Plaintiff

- v -

David Denton Jr, et al., Defendants

23-CV-5656-ERK

FILED

IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 01 2024 ★

SP-24/24

BROOKLYN OFFICE

### MOTION FOR ASSIGNMENT OF PRO BONO COUNSEL

The Plaintiff moves the court for assignment of pro bono or contingency representation in the instant case based on the following reasons:

1.) The government refuses to allow the plaintiff access to his own filings in the previous iteration of this case, 22-cv-5841, which was dismissed despite a pending motion for an amended complaint, ~~and~~ among other issues. The filings include the illegal search warrants, which should not be sealed; and declassified CIPA transcripts, which should not be sealed. The government's ruse preventing an indigent pro se plaintiff from representing himself thus requires the government to provide for counsel or the Court to assign pro bono or contingency-based counsel.

2.) The government's arbitrary confinement conditions restrict Plaintiff from ~~paper~~ sufficient paper, pen, or access to a law library (which has now been broken for 6 weeks).

3.) SAMs prevents Plaintiff from contacting contingency-based or pro bono counsel easily, and mail has been delayed to once-per-quarter — thus delayed by 3 months or so.


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MAR 5 24 AM 9:27

Furthermore, the facts of this case strongly support Plaintiff's complaint. ~~The~~ The Plaintiff consented ~~to~~ <sup>for</sup> the government's staff to physically remove the laptop's hard drive on strict ~~and~~ conditions that they neither power on or search the laptop. This limited authorized consent was recited and the government ~~represented~~ agreed before a federal judge in a ~~case~~ proceeding. The government then immediately ~~violated~~ violated the conditions, searched and seized the laptop. The transcripts speak clearly to this point, which is why the government is actively obstructing the case — ~~it is clear that Plaintiff's~~ Plaintiff will clearly succeed on motion for summary judgment. Thus, assignment of counsel is necessary since the case is likely to succeed on the merits.

And finally, it should be noted that the seized laptop and discovery drives (which even the government admits contains no contraband) contain extensive work product from other civil cases as well as Plaintiff's criminal case which will soon be on appeal. If necessary, Plaintiff's assigned counsel will seek access to this work product in the criminal case, but it would be far easier and more convenient if ~~there is~~ <sup>there is</sup> an order from this court granting summary judgment.

Plaintiff understands the court is very busy but appreciates a moment of your time for this case.

Josh Schulte  
79471054  
M.D.C.  
P.O. Box 329002  
Brooklyn, NY 11232

Respectfully Submitted,  
Josh Schulte  
1/14/24 

Josh Schult A79471051  
MDC  
P.O. Box 32A002  
Brooklyn, NY 11232

NEW YORK NY 100

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ATTN: Case 23-CV-5656-BRK

Pro Se Intake Office

U.S. District Court EDNY

225 Calman Plaza East

Brooklyn, NY 11201

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